

Austin, Texas, March 31, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 424, "An Act to permit any county containing a population of not less than seven thousand, five hundred (7,500) nor more than seven thousand, five hundred and ninety (7,590) according to the last preceding Federal Census, to adopt by a majority vote of qualified voters of such county a county unit system to the extent provided in this Act; making provisions for the formation of a county-wide school district therein; making provision for holding election in each such county on the question of the adoption of the provisions of this Act; making provision for holding election in each such county to determine whether an equalization tax not to exceed twenty (20) cents on the one hundred dollars valuation of property shall be levied and collected annually on all taxable property in the county, such tax to be distributed to the school districts of the county as herein provided; making provision for the assessment and collection of said equalization tax, and prescribing the duties of the County Tax Assessor and Collector and County Superintendent; prescribing the duties of the County Board of School Trustees with respect to such tax and the funds derived therefrom; providing for the making of bond by the Tax Collector; providing that all rights, duties and powers of the several common and independent school districts in any such county shall remain undisturbed and shall not be affected, except as expressly provided in this Act; providing a saving clause; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

April 1, 1941

House Bill No. 368.

House Bill No. 471.

House Bill No. 424.

House Bill No. 389.

House Bill No. 154.

House Bill No. 211.

House Bill No. 227.

House Bill No. 77.

FORTY-SEVENTH DAY

(Wednesday, April 2, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Dove
Allen	Duckett
Allison	Dwyer
Alsup	Ellis
Anderson	Eubank
Avant	Evans
Bailey	Favors
Baker	Ferguson
Bean	Files
Bell	Fitzgerald
Benton	Fuchs
Blankenship	Gandy
Boone	Garland
Brawner	Gilmer
Bray	Goodman
Bridgers	Halsey
Brown	Hanna
Bruhl	Hardeman
Bullock	Hargis
Bundy	Harris of Dallas
Burkett	Harris of Hill
Burnaman	Hartzog
Carlton	Heflin
Carrington	Helpinstill
Cato	Henderson
Celaya	Hileman
Chambers	Hobbs
Clark	Howard
Cleveland	Howington
Coker	Hoyo
Colson, Mrs.	Huddleston
Connelly	Huffman
Craig	Hughes
Crossley	Humphrey
Crothwait	Hutchinson
Daniel	Isaacks
Davis	Jones
Deen	Kelly
Dickson of Bexar	Kennedy
Dickson of Nolan	Kersey
Donald	Kinard

King	Phillips
Klingeman	Price
Knight	Rampy
Lansberry	Reed of Bowie
Lehman	Reed of Dallas
Little	Ridgeway
Lock	Rhodes
Love	Roark
Lowry	Roberts
Lucas	Sallas
Lyle	Senterfitt
McAlister	Sharpe
McCann	Shell
McDonald	Simpson
McGlasson	Skiles
McLellan	Smith of Bastrop
McMurry	Smith of Atascosa
McNamara	Spacek
Manford	Spangler
Markle	Stanford
Martin	Stinson
Matthews	Stubbs
Mills	Taylor
Montgomery	Thornton
Moore	Turner
Morgan	Vale
Morris	Walters
Morse	Wattner
Murray	Weatherford
Nicholson	White
Pace	Whitesides
Parker	Winfree
Pevehouse	

Absent—Excused

Leyendecker Voigt
Manning

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"Our Heavenly Father, we would pray as did the psalmist of old, 'O, Lord, send out Thy light and Thy truth; let them lead me.' We acknowledge Thee, and Thy wisdom and power and providence. Humbly we ask that Thou wilt be the guardian of our ways, and our strength in weakness. In Jesus' name. Amen."

LEAVES OF ABSENCE GRANTED

The following Member was granted leave of absence on account of important business:

Mr. Voigt for today on motion of Mr. Skiles.

The following Members were granted leaves of absence on account of illness:

Mr. Manning temporarily for today on motion of Mr. Alsup.

Mr. Leyendecker for today and the balance of the week on motion of Mr. Bridgers.

HOUSE BILLS ON FIRST READING

The following House Bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Allison:

H. B. No. 851, A bill to be entitled "An Act authorizing the County Judge to employ a stenographer or clerk in any county of not less than six thousand, six hundred fifty (6,650) and not more than seven thousand (7,000) inhabitants, according to the last Federal Census Report; regulating the salary of said stenographer or clerk; providing for the payment of same; providing for his removal, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Allison:

H. B. No. 852, A bill to be entitled "An Act providing that in all counties in this State having a population of not less than 6,650 nor more than 7,000, according to the last preceding Federal Census, the County Commissioners shall receive an annual salary of One Thousand Two Hundred (\$1,200.00) Dollars, payable in twelve equal monthly installments out of the general fund of the county or out of such other funds as the Commissioners' Court may designate; and declaring an emergency."

Referred to the Committee on Counties.

Mr. Lehman asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 853.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Lehman:

H. B. No. 853, A bill to be entitled

"An Act to amend Chapter 314, General Laws of the State of Texas, 41st Legislature, Regular Session as amended by Chapter 24 of the General Laws of the Second Called Session thereof, and as amended by Chapter 277 of the General Laws of the State of Texas, Regular Session, 42nd Legislature, being Article 911b, Revised Civil Statutes of the State of Texas, 1925, so as to require the granting by the Railroad Commission of certificates of public convenience and necessity for the operation of motor vehicles for the transportation of property for compensation or hire over the public highways of this State between and serving cities, towns and villages which are connected by and served by the railroad involved in the application, and between cities, towns and villages located on or served by any railroad, provided such cities, towns and villages shall be within the normal territory of the railroad involved in the application, upon the filing of applications therefor and notice and hearing thereof to railroads operating in this State, to companies other than railroad companies, the majority of whose stock is owned by railroad companies operating in this State, to companies other than railroad companies, the majority of whose stock is owned by a company which also owns the majority of the stock of a railroad company operating in this State; and providing for the form of application to be filed for such certificate, for notice and hearing thereof; and providing the conditions under which such certificates may be sold, assigned, leased or transferred; and providing further for the issuance of writs of mandamus to compel the Railroad Commission to issue such certificates upon compliance with the terms and conditions of the Act; and providing that if any part of the Act is declared unconstitutional such decision shall not affect the remainder of the Act and repealing all laws or parts of laws in conflict and declaring an emergency."

Referred to the Committee on State Affairs.

Mr. Kennedy asked unanimous consent to introduce at this time

and have placed on first reading House Bill No. 854.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Kennedy:

H. B. No. 854, A bill to be entitled "An Act authorizing Independent School Districts, upon the order of its trustees, with the consent of the State Superintendent of Public Instruction, to sell, exchange and convey real property, or any part thereof, belonging to said school district, and to apply any proceeds to the purchase of necessary ground or to the building or repairing of school houses, or to the credit of the available school fund of the district, and validating all sales theretofore made by any district in substantial compliance with the provisions hereof; and declaring an emergency."

Referred to the Committee on School Districts.

BILLS ORDERED NOT PRINTED

On motion of Mr. Anderson, Senate Bill No. 150 was ordered not printed.

On motion of Mr. Gilmer, Senate Bill No. 242 was ordered not printed.

BILL RECOMMITTED

Mr. McAlister moved that House Bill No. 189 be recommitted to the Committee on State Affairs.

Mr. Ferguson moved to table the motion by Mr. McAlister.

The motion to table was lost.

Question then recurring on the motion to recommit House Bill No. 189 to the Committee on State Affairs, it prevailed.

SENATE BILL NO. 43 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 43, A bill to be entitled "An Act to amend Section 1, Chapter 88, Acts 1929, Forty-first Legis-

lature, Second Called Session, as amended by Section 1, Chapter 23, Acts 1929, Forty-first Legislature, Fifth Called Session, defining 'Commercial Motor Vehicle'; Section 6, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of Commercial Motor Vehicles; Section 7, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of road tractors; Section 8, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of trailers or semi-trailers; Section 8A, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prescribing license fees for the registration of motor busses; Section 8B, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, prohibiting registration of commercial vehicles size of which are illegal with certain exceptions; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Mr. Love offered the following committee amendment to the bill:

Amend Senate Bill No. 43 by adding between Section 2 and Section 3 a new section and to be as follows:

Sec. 2a. That Acts 1929, 41st Legislature, Second Called Session, page 172, Chapter 88, Section 6a, as added Acts 1933, 43rd Legislature, 1st Called Session, page 82, Chapter 27, Section 1, as amended Acts 1934, 43rd Legislature, 3rd Called Session, page 75, Chapter 36, Section 1, be and is hereby further amended so as to hereafter read as follows:

When a commercial motor vehicle sought to be registered and used by the owner thereof only in the transportation of his own poultry, dairy, livestock, timber in its natural state, and farm products to market, or to other points for sale or processing, or the transportation by the owner thereof of laborers from their place of residence, and materials, tools, equipment and supplies, without charge, from the place of purchase or storage, to his own farm or ranch, exclusively for his own use

or use on such farm, the registration license fee, for the weight classifications herein mentioned, shall be fifty per cent (50%) of the registration fee prescribed for weight classifications in Section 6 of the Act hereby amended, as amended in this Act; provided further, that it shall be the duty of the Highway Commission to provide license plates of difference in size or color, so as to distinguish them from license plates used for other commercial motor vehicles using the highways; provided further, if the owner of any commercial motor vehicle, coming within the provisions of this Act, shall use or permit to be used any such vehicle for any other purpose than those provided for in this Act, he shall be guilty of a misdemeanor, and upon conviction, shall be fined in any sum not less than Twenty-five Dollars (\$25.00) nor more than Two Hundred Dollars (\$200.00), and each use of such vehicle and each permission for such use of such vehicle shall constitute a separate offense; provided, however, that all commercial motor vehicles, truck tractors, road tractors, trailers and semi-trailers as defined in Section 1 of Chapter 23 of the General Laws of the Fifth Called Session of the Forty-first Legislature, not coming within the provisions of this Act shall be required to pay all registration and license fees prescribed by the other provisions of Chapter 88, General Laws of the Forty-first Legislature, Second Called Session, as amended by this Act.

The amendment was adopted.

Mr. Halsey offered the following committee amendment to the bill:

Amend Senate Bill No. 43 by striking out all of Section 6a.

HALSEY,
CARRINGTON,
LOVE,
LITTLE.

The amendment was adopted.

Mr. Hoyo offered the following committee amendment to the bill:

Amend Senate Bill No. 43 by adding to the end of Section 1 the following words:

"with the exception of passenger

cars used in the delivery of the United States mails."

The amendment was adopted.

Mr. Pace offered the following amendment to the bill:

Amend Senate Bill No. 43 by adding the following new section to be known as Section —, and renumbering other sections accordingly:

"Sec. —. Section 5, Chapter 88, General Laws, Forty-first Legislature, Second Called Session, is hereby amended so as to hereafter read as follows:

"Sec. 5. The annual license fee for the registration of a motorcycle shall be Five (\$5.00) Dollars and for each side car, Three (\$3.00) Dollars.

"Sec. 6. The annual license fee for the registration of a passenger car shall be Five (\$5.00) Dollars.' "

Sec. 7. This Act shall take effect March 1, 1942.

Mr. Alsup moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—79

Allen	Crossley
Allison	Daniel
Alsup	Dickson of Bexar
Avant	Duckett
Baker	Ellis
Boone	Favors
Brawner	Ferguson
Bridgers	Files
Brown	Fitzgerald
Bruhl	Fuchs
Bullock	Gandy
Bundy	Garland
Burkett	Gilmer
Burnaman	Hardeman
Carlton	Hargis
Carrington	Harris of Hill
Cato	Helpinstill
Celaya	Henderson
Clark	Hileman
Cleveland	Howington
Coker	Hoyo
Colson, Mrs.	Huddleston
Connelly	Huffman
Craig	Hughes

Humphrey
Hutchinson
Isaacks
Jones
Kelly
Kersey
Little
Love
Lowry
McDonald
McNamara
Markle
Mills
Morris
Nicholson
Parker

Price
Rampy
Roberts
Shell
Smith of Atascosa
Spacek
Spangler
Stanford
Stinson
Thornton
Vale
Walters
Wattner
White
Whitesides

Nays—44

Bailey	McGlasson
Benton	Martin
Bray	Moore
Crosthwait	Morgan
Davis	Morse
Deen	Murray
Donald	Pace
Dove	Pevehouse
Evans	Reed of Bowie
Hanna	Reed of Dallas
Harris of Dallas	Ridgeway
Hobbs	Rhodes
Kennedy	Sallas
King	Senterfitt
Knight	Sharpe
Lansberry	Simpson
Lehman	Skiles
Lock	Smith of Bastrop
Lucas	Stubbs
Lyle	Turner
McAlister	Weatherford
McCann	Winfree

Present—Not Voting

Howard

Absent

Anderson	Heflin
Bean	Kinard
Bell	Klingeman
Blankenship	McLellan
Chambers	McMurry
Dickson of Nolan	Manford
Dwyer	Matthews
Eubank	Montgomery
Goodman	Phillips
Halsey	Roark
Hartzog	Taylor

Absent—Excused

Leyendecker Voigt
Manning

Mr. Simpson offered the following amendment to the bill:

Amend Senate Bill No. 43 by adding a new section to be numbered Section —, and renumbering other sections accordingly:

Sec. —. That Section 5, Chapter 88, Second Called Session, Forty-first Legislature, be and the same is hereby amended hereafter to read as follows:

"Sec. 5. The annual license fee for the registration of a motorcycle shall be Five Dollars (\$5) and for each side-car Three Dollars (\$3).

"The annual license fee for the registration of a passenger car shall be based upon the weight of a vehicle as follows:

Weight in pounds	Fee per 100 pounds or Fraction thereof
1-2000	\$.28
2001-350036
3501-450048
4501 and up50

"The reregistration fee upon all passenger vehicles, except those used for commercial purposes, which have been registered with the Tax Assessor-Collector for a period of at least one (1) year, after the first year's registration in this State, the license fee upon any such automobile shall be assessed at ninety-five (95) per centum of the fee computed and assessed for the first year; and thereafter such fee shall be assessed and computed at eighty (80) per centum of the previous year's fee; and shall be so computed and assessed for the next five (5) successive years, after the first year, but in no event shall the fee be thus reduced below Five Dollars (\$5.00) for any such automobile.

"The weight of any passenger car, for purposes of registration shall be the weight generally accepted as its correct shipping weight plus one hundred (100) pounds.

"This Act shall take effect March 1, 1942."

Mr. Alsup raised a point of order on further consideration of the amendment by Mr. Simpson at this time, on the ground that the amendment is not germane to the bill.

The Speaker sustained the point of order.

Mr. McAlister offered the following amendment to the bill:

Amend Senate Bill No. 43 as passed by the Senate and sent to the House by striking out Section 2 and substituting in lieu thereof the following:

"Sec. 2. Section 6, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, be amended so as to hereafter read as follows:

"The annual license fee for the registration of a commercial motor vehicle or truck-tractor shall be based upon the gross weight and tire equipment of the vehicle as follows:

Gross Weight Pounds	Fee per 100 pounds or Fraction thereof	
	Equipped with Pneumatic Tires	Equipped with Solid Tires
1- 6,000	\$0.40	\$0.50
6,001- 8,000	.50	.60
8,001-10,000	.60	.70
10,001-12,000	.70	.90
12,001-14,000	.80	1.00
14,001-16,000	.90	1.20
16,001-22,000	1.30	1.50
22,001-26,000	1.60	2.00
26,001- and up	2.00	2.50

"The term 'gross weight' as used in this Section shall mean the actual weight of the vehicle fully equipped with body, and other equipment, as certified by any official public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity. 'Net carrying capacity' of any vehicle except a bus as used in this Section shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity. The 'net carrying capacity' of a bus as defined in this Act shall be computed by multiplying its seating capacity by 150 pounds. The seating capacity of any such vehicle shall be the manufacturer's rated seating capacity exclusive of the driver's or operator's seat. The seating capacity of any such vehicle not rated by the manufacturer shall be determined by allowing one passenger for each sixteen (16) inches

that such vehicle will seat, exclusive of the driver's or operator's seat."

Mr. Montgomery offered the following substitute for the amendment by Mr. McAlister:

Amend Senate Bill No. 43 as passed by the Senate and sent to the House by striking out Section 2 and substituting in lieu thereof the following:

"Sec. 2. Section 6, Chapter 88, Acts 1929, Forty-first Legislature, Second Called Session, be amended so as to hereafter read as follows:

"The annual license fee for the registration of a commercial motor vehicle or truck-tractor shall be based upon the gross weight and tire equipment of the vehicle as follows:

Gross Weight Pounds	Fee per 100 pounds or Fraction thereof	
	Equipped with Pneumatic Tires	Equipped with Solid Tires
1- 6,000	\$.35	\$.45
6,001- 8,000	.45	.55
8,001-10,000	.55	.65
10,001-12,000	.65	.85
12,001-14,000	.75	.95
14,001-16,000	.85	1.10
16,001-22,000	1.15	1.30
22,001-26,000	1.40	1.60
26,001- and up	1.65	2.20

"The term 'gross weight' as used in this Section shall mean the actual weight of the vehicle fully equipped with body, and other equipment, as certified by any official public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity. 'Net carrying capacity' of any vehicle except a bus as used in this Section shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity. The 'net carrying capacity' of a bus as defined in this Act shall be computed by multiplying its seating capacity by 150 pounds. The seating capacity of any such vehicle shall be the manufacturer's rated seating capacity exclusive of the driver's or operator's seat. The seat-

ing capacity of any such vehicle not rated by the manufacturer shall be determined by allowing one passenger for each sixteen (16) inches that such vehicle will seat, exclusive of the driver's or operator's seat."

(Mr. Vale in the Chair.)

Mr. Gilmer moved to table the substitute amendment by Mr. Montgomery.

(Pending consideration of the motion to table, Mr. Kinard occupied the Chair temporarily.)

(Speaker in the Chair.)

Question recurring on the motion to table the substitute amendment by Mr. Montgomery, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—75

Allison	Helpinstill
Alsup	Hileman
Baker	Howington
Bean	Huddleston
Bell	Hughes
Benton	Isaacks
Boone	Kelly
Bridgers	Kersey
Bruhl	Kinard
Bundy	King
Burkett	Klingeman
Carrington	Little
Cato	Lock
Celaya	Love
Chambers	Lowry
Coker	Lucas
Colson, Mrs.	Lyle
Connelly	McCann
Craig	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Donald	Matthews
Dwyer	Morse
Eubank	Murray
Evans	Phillips
Favors	Price
Gandy	Rampy
Gilmer	Ridgeway
Goodman	Sharpe
Halsey	Shell
Hanna	Smith of Atascosa
Hardeman	Spangler
Hargis	Stanford
Harris of Dallas	Thornton
Harris of Hill	Vale

Walters
Wattner

Whitesides

Nays—66

Allen	Knight
Avant	Lansberry
Bailey	Lehman
Blankenship	McAlister
Brawner	McDonald
Bray	McGlasson
Brown	Markle
Bullock	Martin
Burnaman	Mills
Carlton	Montgomery
Clark	Moore
Cleveland	Morgan
Crossley	Morris
Crosthwait	Nicholson
Daniel	Pace
Dickson of Nolan	Parker
Dove	Pevehouse
Duckett	Reed of Bowie
Ellis	Reed of Dallas
Files	Rhodes
Fitzgerald	Roberts
Fuchs	Sallas
Garland	Senterfitt
Heflin	Skiles
Henderson	Smith of Bastrop
Hobbs	Spacek
Howard	Stinson
Hoyo	Stubbs
Huffman	Taylor
Humphrey	Turner
Hutchinson	Weatherford
Jones	White
Kennedy	Winfree

Absent

Anderson	Roark
Ferguson	Simpson
Hartzog	

Absent—Excused

Leyendecker	Voigt
Manning	

Mr. Reed of Dallas moved to suspend the Rules for the purpose of making a motion to reconsider the vote by which the substitute amendment by Mr. Montgomery was tabled.

The motion to suspend the Rules was lost by the following vote:

Yeas—67

Allen	Blankenship
Avant	Brawner
Bailey	Brown
Bell	Bullock

Bundy
Burnaman
Carlton
Clark
Cleveland
Craig
Crossley
Crosthwait
Daniel
Duckett
Ellis
Evans
Ferguson
Files
Fitzgerald
Fuchs
Garland
Goodman
Heflin
Hobbs
Howard
Hoyo
Huffman
Humphrey
Hutchinson
Jones
Kennedy
Lansberry
Lehman
McAlister

McDonald
McGlasson
McMurry
Markle
Martin
Mills
Montgomery
Moore
Morgan
Morris
Pace
Parker
Pevehouse
Reed of Bowie
Reed of Dallas
Rhodes
Roberts
Sallas
Senterfitt
Skiles
Smith of Bastrop
Stinson
Taylor
Thornton
Turner
Weatherford
White
Whitesides
Winfree

Nays—68

Allison	Helpinstill
Alsup	Henderson
Baker	Hileman
Bean	Howington
Benton	Huddleston
Boone	Hughes
Bray	Kelly
Bridgers	Kersey
Bruhl	Kinard
Burkett	King
Carrington	Klingeman
Cato	Knight
Celaya	Little
Coker	Lock
Colson, Mrs.	Love
Connelly	Lowry
Davis	Lucas
Deen	Lyle
Dickson of Bexar	McCann
Donald	McLellan
Eubank	McNamara
Favors	Manford
Gandy	Matthews
Gilmer	Morse
Halsey	Murray
Hanna	Price
Hardeman	Rampy
Hargis	Ridgeway
Harris of Dallas	Shell
Harris of Hill	Simpson

Smith of Atascosa Stubbs
Spacek Vale
Spangler Walters
Stanford Wattner

Absent

Anderson Isaacks
Chambers Nicholson
Dickson of Nolan Phillips
Dove Roark
Dwyer Sharpe
Hartzog

Absent—Excused

Leyendecker Voigt
Manning

Mr. Lucas offered the following substitute for the amendment by Mr. McAlister:

Amend Senate Bill No. 43, page 5, by striking out lines 17 to 23, inclusive and insert in lieu thereof the following:

Gross Weight in pounds	Fee per 100 pounds or fraction thereof	
1- 6,000	\$.30	\$.50
6,001- 8,000	.37 ½	.60
8,001-10,000	.45	.70
10,001-12,000	.52 ½	.80
12,001-14,000	.60	.80
14,001-17,000	.65	.80
17,001-24,000	.70	.90
24,001-31,000	.80	1.00
31,001- and up	.90	1.20

LUCAS,
WALTERS.

Question recurring on the substitute amendment by Mr. Lucas, it was adopted.

Mr. Lucas moved to reconsider the vote by which the substitute amendment was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. Carlton moved to suspend the Rules for the purpose of making a motion to reconsider the vote by which the substitute amendment by Mr. Lucas was adopted.

The motion to suspend the Rules was lost by the following vote:

Yeas—28

Blankenship Carlton
Brawner Clark
Brown Crosthwait

Fitzgerald
Fuchs
Henderson
Howard
Huffman
Isaacks
Kennedy
Lehman
McAlister
Markle
Montgomery

Morgan
Morris
Pevehouse
Reed of Bowie
Reed of Dallas
Rhodes
Sallas
Skiles
Stinson
Thornton
Winfree

Nays—96

Allison
Alsup
Avant
Baker
Bell
Boone
Bray
Bridgers
Bruhl
Bullock
Bundy
Burkett
Burnaman
Carrington
Cato
Celaya
Chambers
Cleveland
Coker
Colson, Mrs.
Connelly
Craig
Crossley
Daniel
Davis
Deen
Dickson of Bexar
Donald
Duckett
Ellis
Eubank
Evans
Favors
Ferguson
Garland
Gilmer
Halsey
Hanna
Hardeman
Hargis
Harris of Dallas
Helpinstill
Hileman
Hobbs
Howington
Hoyo
Huddleston
Hughes
Humphrey
Hutchinson
Kelly
Kinard
King
Klingeman
Knight
Lansberry
Little
Lock
Love
Lowry
Lucas
Lyle
McCann
McLellan
McMurry
McNamara
Manford
Martin
Matthews
Mills
Moore
Morse
Murray
Pace
Parker
Price
Rampy
Ridgeway
Roark
Roberts
Senterfitt
Sharpe
Shell
Simpson
Smith of Bastrop
Spacek
Spangler
Stanford
Stubbs
Taylor
Turner
Vale
Wattner
Weatherford
White
Whitesides

Absent

Allen	Harris of Hill
Anderson	Hartzog
Bailey	Heflin
Bean	Jones
Benton	Kersey
Dickson of Nolan	McDonald
Dove	McGlasson
Dwyer	Nicholson
Files	Phillips
Gandy	Smith of Atascosa
Goodman	Walters

Absent—Excused

Leyendecker	Voigt
Manning	

Question then recurring on the amendment by Mr. McAlister as substituted by the amendment by Mr. Lucas, it was adopted.

Mr. Lucas moved to reconsider the vote by which the amendment, as substituted, was adopted and to table the motion to reconsider.

The motion to table prevailed.

Mr. McAlister offered the following amendment to the bill:

Amend Senate Bill No. 43 as passed by the Senate and sent to the House by striking out Section 4 and substituting in lieu thereof the following:

"Sec. 4. Section 8, Chapter 88, Acts 1929, 41st Legislature, Second Called Session, be amended so as to hereafter read as follows:

"The annual license fee for the registration of trailer or semi-trailer shall be based upon the gross weight and tire equipage of the trailer or semi-trailer, as follows:

Gross Weight Pounds	Fee per 100 pounds or Fraction thereof	
	Equipped with Pneumatic Tires	Equipped with Solid Tires
1- 6,000	\$.30	\$.40
6,001- 8,000	.40	.50
8,001-10,000	.50	.60
10,001-12,000	.60	.80
12,001-14,000	.80	1.00
14,001-16,000	1.20	1.50
16,001-20,000	1.60	2.00
20,001- and up	2.00	2.50

"The term 'gross weight' as used in this Section means the actual

weight of the trailer or semi-trailer; as officially certified by any public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity. 'Net carrying capacity' as used in this Section shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity."

Mr. Montgomery offered the following substitute for the amendment by Mr. McAlister:

Amend Senate Bill 43, as passed by the Senate and sent to the House, by striking out Section 4 and substituting in lieu thereof the following:

"Sec. 4. Section 8, Chapter 88, Acts 1929, 41st Legislature, Second Called Session, be amended so as to hereafter read as follows:

"The annual license fee for the registration of trailer or semi-trailer shall be based upon the gross weight and tire equipage of the trailer or semi-trailer, as follows:

Gross Weight Pounds	Fee per 100 pounds or Fraction thereof	
	Equipped with Pneumatic Tires	Equipped with Solid Tires
1- 6,000	\$.25	\$.35
6,001- 8,000	.35	.45
8,001-10,000	.45	.55
10,001-12,000	.55	.75
12,001-14,000	.75	.90
14,001-16,000	1.05	1.35
16,001-20,000	1.40	1.60
20,001- up	1.65	2.20

"The term 'gross weight' as used in this Section means the actual weight of the trailer or semi-trailer; as officially certified by any public weigher or any license and weight inspector of the State Highway Department, plus its net carrying capacity. 'Net carrying capacity' as used in this Section shall be the weight of the heaviest net load to be carried on the vehicle being registered; provided said net carrying capacity shall in no case be less than the manufacturer's rated carrying capacity."

Mr. Alsop moved to table the sub-

stitute amendment by Mr. Montgomery.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—70

Allison	Howington
Alsup	Huddleston
Bailey	Hughes
Baker	Isaacks
Bean	Kersey
Bell	King
Benton	Klingeman
Boone	Knight
Bridgers	Lansberry
Bruhl	Little
Bundy	Lock
Burkett	Love
Carrington	Lowry
Cato	Lucas
Chambers	Lyle
Clark	McGlasson
Coker	McLellan
Colson, Mrs.	McNamara
Connelly	Martin
Craig	Matthews
Davis	Morris
Deen	Morse
Dickson of Bexar	Murray
Eubank	Phillips
Evans	Ridgeway
Favors	Sharpe
Gilmer	Shell
Halsey	Smith of Bastrop
Hanna	Smith of Atascosa
Hardeman	Stanford
Hargis	Taylor
Harris of Dallas	Turner
Harris of Hill	Vale
Helpinstill	Wattner
Hileman	Whitesides

Nays—60

Allen	Duckett
Avant	Ellis
Brawner	Ferguson
Bray	Fitzgerald
Brown	Fuchs
Bullock	Garland
Burnaman	Heflin
Carlton	Henderson
Cleveland	Hobbs
Crossley	Howard
Crothwait	Hoyo
Daniel	Huffman
Donald	Humphrey
Dove	Hutchinson

Jones	Reed of Bowie
Kennedy	Reed of Dallas
Lehman	Rhodes
McAlister	Roark
McCann	Roberts
McDonald	Sallas
McMurry	Senterfitt
Markle	Simpson
Mills	Skiles
Montgomery	Spacek
Morgan	Spangler
Pace	Stinson
Parker	Thornton
Pevehouse	Weatherford
Price	Winfree
Rampy	

Absent

Anderson	Kelly
Blankenship	Kinard
Celaya	Manford
Dickson of Nolan	Moore
Dwyer	Nicholson
Files	Stubbs
Gandy	Walters
Goodman	White
Hartzog	

Absent—Excused

Leyendecker	Voigt
Manning	

Mr. Harris of Hill offered the following substitute for the amendment by Mr. McAlister:

Amend Senate Bill No. 43 at proper section as follows:

Section 2 and Section 6, Chapter 88, Acts of 1929, 41st Legislature, Second Called Session, shall be amended so as to hereafter read as follows:

For the purpose of determining the annual license fee for the registration of commercial motor vehicles or truck-tractors shall be divided into five classifications as follows:

(1) A commercial motor vehicle or truck-tractor as defined by law which does not come within the following four classifications, and which for the purpose of this Act shall be termed regular commercial motor vehicles or truck-tractors;

(2) Farm commercial vehicles or truck-tractors;

(3) Commercial motor vehicles or truck-tractors which operate under a special commodity carriers permit;

(4) Commercial motor vehicles or truck-tractors which operate under a contract carrier permit;

(5) Commercial motor vehicles or truck-tractors which operate under a common carrier permit.

The annual license fee for registration of a farm commercial motor vehicle or truck-tractor shall be one-half of the license fee of a regular commercial motor vehicle or truck-tractor.

The annual license fee for the registration of a regular commercial motor vehicle or truck-tractor as classified above or a commercial motor or truck-tractor which operates under a special commodity carriers permit shall be based upon the gross weight and tire equipment of the vehicle as follows:

Gross Weight Pounds	Fee per 100 pounds or Fraction thereof	
	Equipped with Pneumatic Tires	Equipped with Solid Tires
1 to 6,000	\$.40	\$.50
6,001 and up	.50	.60

The annual license fee for the registration of a commercial motor vehicle or truck-tractor which operates under a contract carrier permit shall be based on the gross weight and tire equipment of the vehicle as follows:

Gross Weight Pounds	Fee per 100 pounds or Fraction thereof	
	Equipped with Pneumatic Tires	Equipped with Solid Tires
1 to 6,000	\$.40	\$.50
6,001 and up	.70	.80

The annual license fee for the registration of a commercial motor vehicle or truck-tractor which operates under a common carrier permit shall be:

Gross Weight Pounds	Fee per 100 pounds or Fraction thereof	
	Equipped with Pneumatic Tires	Equipped with Solid Tires
1 to 6,000	\$.40	\$.50
6,001 and up	1.00	1.10

HARRIS of Hill,
BURNAMAN.

Mr. Bean moved the previous question on the pending amendments and the passage of Senate Bill No. 43 to third reading, and the main question was ordered.

Question first recurring on the substitute amendment by Mr. Harris of Hill, it was lost.

Question next recurring on the amendment by Mr. McAlister, it was lost.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Senate Bill No. 43 was then passed to third reading.

MOTION TO PLACE SENATE BILL NO. 43 ON THIRD READING

Mr. Alsop moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 43 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—100

Allison	Davis
Alsop	Deen
Anderson	Dickson of Bexar
Avant	Donald
Bailey	Dove
Baker	Eubank
Bean	Evans
Bell	Favors
Benton	Ferguson
Bray	Gandy
Bridgers	Gilmer
Bruhl	Halsey
Bullock	Hanna
Bundy	Hardeman
Burkett	Hargis
Burnaman	Harris of Dallas
Carrington	Harris of Hill
Cato	Hartzog
Celaya	Helpinstill
Chambers	Hileman
Coker	Howington
Colson, Mrs.	Hoyo
Connelly	Huddleston
Craig	Hughes
Crossley	Humphrey
Daniel	Hutchinson

Isaacks	Murray
Kelly	Pevehouse
Kersey	Phillips
Klingeman	Price
Knight	Rampy
Lansberry	Reed of Bowie
Little	Ridgeway
Lock	Roark
Love	Senterfitt
Lowry	Sharpe
Lucas	Shell
Lyle	Simpson
McDonald	Smith of Bastrop
McGlasson	Smith of Atascosa
McLellan	Spacek
McMurry	Stanford
McNamara	Stinson
Manford	Taylor
Martin	Thornton
Matthews	Turner
Mills	Vale
Moore	Wattner
Morris	White
Morse	Whitesides

Nays—33

Allen	Kennedy
Brawner	King
Brown	Lehman
Carlton	McCann
Cleveland	Markle
Crothwait	Montgomery
Duckett	Morgan
Ellis	Pace
Files	Parker
Fitzgerald	Reed of Dallas
Fuchs	Rhodes
Heflin	Roberts
Henderson	Sallas
Hobbs	Stubbs
Howard	Weatherford
Huffman	Winfree
Jones	

Absent

Blankenship	Kinard
Boone	McAlister
Clark	Nicholson
Dickson of Nolan	Skiles
Dwyer	Spangler
Garland	Walters
Goodman	

Absent—Excused

Leyendecker	Voigt
Manning	

SENATE BILL NO. 43 ON
THIRD READING

Mr. Alsup moved that the Constitutional Rule requiring bills to be

read on three several days be suspended and that Senate Bill No. 43 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Allison	Howington
Alsup	Hoyo
Anderson	Huddleston
Avant	Hughes
Bailey	Humphrey
Baker	Hutchinson
Bell	Isaacks
Benton	Jones
Blankenship	Kelly
Boone	Kersey
Brawner	Kinard
Bray	King
Bridgers	Klingeman
Bruhl	Knight
Bullock	Lansberry
Bundy	Little
Burkett	Lock
Burnaman	Love
Carrington	Lowry
Cato	Lucas
Celaya	Lyle
Chambers	McAlister
Clark	McDonald
Coker	McGlasson
Colson, Mrs.	McLellan
Connelly	McMurry
Craig	McNamara
Crossley	Manford
Daniel	Martin
Davis	Matthews
Deen	Montgomery
Dickson of Bexar	Morris
Donald	Morse
Dove	Murray
Duckett	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Gandy	Reed of Dallas
Garland	Ridgeway
Gilmer	Roark
Goodman	Roberts
Halsey	Senterfitt
Hanna	Sharpe
Hardeman	Shell
Hargis	Simpson
Harris of Dallas	Smith of Bastrop
Harris of Hill	Smith of Atascosa
Helpinstill	Spacek
Henderson	Spangler
Hileman	Stanford

Stinson	Walters
Stubbs	Wattner
Thornton	White
Turner	Whitesides
Vale	Winfree

Nays—19

Allen	Kennedy
Carlton	Lehman
Cleveland	Markle
Crosthwait	Mills
Files	Morgan
Fitzgerald	Pace
Fuchs	Rhodes
Hobbs	Sallas
Howard	Weatherford
Huffman	

Absent

Bean	McCann
Brown	Moore
Dickson of Nolan	Nicholson
Dwyer	Skiles
Hartzog	Taylor
Heflin	

Absent—Excused

Leyendecker	Voigt
Manning	

The Speaker then laid Senate Bill No. 43 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—109

Allison	Chambers
Alsup	Clark
Anderson	Coker
Avant	Colson, Mrs.
Bailey	Connelly
Baker	Craig
Bean	Crossley
Bell	Daniel
Benton	Davis
Blankenship	Deen
Boone	Dickson of Bexar
Bray	Donald
Bridgers	Dove
Brown	Duckett
Bruhl	Eubank
Bullock	Favors
Bundy	Ferguson
Burkett	Fuchs
Burnaman	Gandy
Carrington	Gilmer
Cato	Goodman
Celaya	Halsey

Hanna	Manford
Hardeman	Martin
Hargis	Matthews
Harris of Dallas	Morris
Harris of Hill	Morse
Helpinstill	Murray
Henderson	Parker
Hileman	Pevehouse
Hobbs	Phillips
Howington	Rampy
Hoyo	Reed of Bowie
Huddleston	Ridgeway
Hughes	Roark
Humphrey	Sallas
Hutchinson	Senterfitt
Isaacks	Sharpe
Jones	Shell
Kelly	Simpson
Kersey	Skiles
Kinard	Smith of Bastrop
Klingeman	Smith of Atascosa
Lansberry	Spacek
Little	Stanford
Lock	Stinson
Love	Stubbs
Lowry	Thornton
Lucas	Turner
Lyle	Vale
McCann	Walters
McDonald	Wattner
McLellan	White
McMurry	Whitesides
McNamara	

Nays—26

Allen	Markle
Brawner	Mills
Carlton	Montgomery
Cleveland	Moore
Crosthwait	Morgan
Ellis	Pace
Evans	Price
Files	Reed of Dallas
Fitzgerald	Rhodes
Huffman	Roberts
Kennedy	Spangler
King	Weatherford
Lehman	Winfree

Absent

Dickson of Nolan	Knight
Dwyer	McAlister
Garland	McGlasson
Hartzog	Nicholson
Heflin	Taylor
Howard	

Absent—Excused

Leyendecker	Voigt
Manning	

EXTENDING CONGRATULATIONS
OF THE HOUSE TO HON. AND
MRS. LESTER CLARK

Mr. Skiles offered the following resolution:

H. S. R. No. 175, Extending Congratulations of the House to Hon. and Mrs. Lester Clark.

Whereas, The unerring aim of Dan Cupid struck amidst the ranks of the single Members of the House of Representatives with devastating force on March 14th, "mowing down," while in his prime, one who had before him many, many years of single bliss; and

Whereas, This loss to the bachelors club represents a gain to those encumbered Members of the House who heretofore have succumbed without protest to that which finally becomes the fate and destiny of all men; and

Whereas, The House should perhaps feel some degree of sorrow for the single Members of the House in the loss of their brother bachelor, yet complete candor compels the admission that in taking unto himself for a bride charming, beautiful and gracious Virginia Dye, our fellow Member, Lester Clark, has given just cause for the hopes to be stirred in the hearts of every remaining single Member that he too might be rewarded by so lovely a bride if he would but put aside his dillydallying;

Therefore, The House desires to express by this resolution dual thought: To Virginia and Lester Clark, our newest newlyweds, our sincere congratulations that, not only for the remainder of this Session, but for all the days of their lives, they may enjoy all good things, joy and happiness, success and attainment in all their mutual undertakings; to the remaining bachelors our hopes that they may be inspired by Lester's success and go forth with renewed determination to do as well as he has done.

Be it also resolved, That the House request the Honorable Lester Clark to forthwith bring his charming bride to the platform of the House to be presented to the House with proper ceremony.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankensip, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Hespinstall, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rappy, Reed of Bowie, Reed of Dallas, Ridgeway, Roark, Roberts, Rhodes, Sallas, Senterfitt, Sharpe, Shell, Simpson, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Kelly, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. and Mrs. Clark to the Speaker's stand:

Mr. McAlister, Mr. Eubank, Mr. Moore, Mr. Wattner and Miss Files.

The committee having performed their duty, the Speaker presented Mr. McAlister, who presented Mr. and Mrs. Lester Clark to the House and presented them with a wedding gift.

Mrs. Clark addressed the House, expressing appreciation for the gift.

SENATE BILL NO. 242 ON SECOND READING

(By unanimous consent)

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 242, A bill to be entitled "An Act to amend Article 1813, Revised Civil Statutes of Texas, 1925, etc., to add a provision for the appointment of a Special Commissioner to serve with and assist a Court of Civil Appeals where a member thereof is called or ordered into active military service of the United States; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 242 ON THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 242 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—136

Allen	Cleveland
Allison	Coker
Alsup	Colson, Mrs.
Anderson	Connelly
Avant	Craig
Bailey	Crossley
Baker	Crosthwait
Bean	Daniel
Bell	Davis
Benton	Deen
Boone	Dickson of Bexar
Brawner	Donald
Bridgers	Duckett
Brown	Ellis
Bruhl	Eubank
Bullock	Evans
Bundy	Favors
Burkett	Ferguson
Carlton	Files
Carrington	Fitzgerald
Cato	Fuchs
Celaya	Gandy
Chambers	Garland
Clark	Gilmer

Halsey	Manford
Hanna	Markle
Hardeman	Martin
Hargis	Matthews
Harris of Dallas	Mills
Harris of Hill	Montgomery
Hartzog	Morgan
Heflin	Morris
Helpinstill	Morse
Henderson	Murray
Hileman	Pace
Hobbs	Parker
Howard	Pevehouse
Howington	Phillips
Hoyo	Price
Huddleston	Rampy
Huffman	Reed of Bowie
Hughes	Reed of Dallas
Humphrey	Ridgeway
Hutchinson	Rhodes
Isaacks	Roark
Jones	Roberts
Kelly	Sallas
Kennedy	Senterfitt
Kersey	Sharpe
Kinard	Shell
King	Simpson
Klingeman	Smith of Bastrop
Knight	Smith of Atascosa
Lansberry	Spacek
Lehman	Spangler
Little	Stanford
Lock	Stinson
Love	Stubbs
Lowry	Taylor
Lucas	Thornton
Lyle	Turner
McAlister	Vale
McCann	Walters
McDonald	Wattner
McGlasson	Weatherford
McLellan	White
McMurry	Whitesides
McNamara	Winfree

Present—Not Voting

Bray

Absent

Blankenship	Goodman
Burnaman	Moore
Dickson of Nolan	Nicholson
Dove	Skiles
Dwyer	

Absent—Excused

Leyendecker	Voigt
Manning	

The Speaker then laid Senate Bill No. 242 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—136

Allen	Hileman
Allison	Hobbs
Alsup	Howard
Anderson	Howington
Avant	Hoyo
Bailey	Huddleston
Baker	Huffman
Bean	Hughes
Bell	Humphrey
Benton	Hutchinson
Boone	Isaacks
Brawner	Jones
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kersey
Bullock	Kinard
Bundy	King
Burkett	Klingeman
Carlton	Knight
Carrington	Lansberry
Cato	Lehman
Celaya	Little
Chambers	Lock
Clark	Love
Cleveland	Lowry
Coker	Lucas
Colson, Mrs.	Lyle
Connelly	McAlister
Craig	McCann
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McMurry
Deen	McNamara
Dickson of Bexar	Manford
Donald	Markle
Duckett	Martin
Ellis	Matthews
Eubank	Mills
Evans	Montgomery
Favors	Morgan
Ferguson	Morris
Files	Morse
Fitzgerald	Murray
Fuchs	Pace
Gandy	Parker
Garland	Pevehouse
Gilmer	Phillips
Halsey	Price
Hanna	Rampy
Hardeman	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Ridgeway
Harris of Hill	Rhodes
Hartzog	Roark
Heflin	Roberts
Helpinstill	Sallas
Henderson	Senterfitt

Sharpe	Taylor
Shell	Thornton
Simpson	Turner
Smith of Bastrop	Vale
Smith of Atascosa	Walters
Spacek	Wattner
Spangler	Weatherford
Stanford	White
Stinson	Whitesides
Stubbs	Winfree

Present—Not Voting

Bray

Absent

Blankenship	Goodman
Burnaman	Moore
Dickson of Nolan	Nicholson
Dove	Skiles
Dwyer	

Absent—Excused

Leyendecker	Voigt
Manning	

BILL LAID ON THE TABLE

On motion of Mr. Hardeman, House Bill No. 748 was laid on the table.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 31, To Grant Rogers Hale and Homer Sessions Permission to Sue the State.

Whereas, Rogers Hale and Homer Sessions, composing the partnership firm of Hale & Sessions, building contractors, Arp, Texas, did certain repair work in the nature of stuccoing the Main Building of the Rusk State Hospital; and

Whereas, Certain laborers employed on this job have filed claims with the State Board of Control for a deficiency claimed in wages, in connection with their services alleged by them to have been performed for said contractors, and by which they claim they were not paid the wage scale provided in the contract between the State of Texas and the contractors; and

Whereas, As a result of the claim filed by these laborers with the Board of Control, the said Board of Control is holding as retainage,

a certain sum of money which said Hale & Sessions claim is rightfully theirs, and should be paid to them; and

Whereas, Hale & Sessions wish to enter into litigation to settle this matter with respect to the claim presented by certain laborers as above stated; and

Whereas, It will be necessary to name the State of Texas and the State Board of Control as parties to this suit; now, therefore, be it

Resolved, By the Senate of Texas, the House of Representatives concurring, that Rogers Hale and Homer Sessions, composing the partnership firm of Hale & Sessions, be, and they are hereby granted permission to make the State of Texas and the State Board of Control parties defendant in a suit to settle the respective claims of Hale & Sessions and certain laborers employed by Hale & Sessions on the stuccoing job at the Rusk State Hospital, in respect to the retainage fund held by the State Board of Control; provided that service of citation and/or any other necessary process may be had upon the State of Texas by service upon the Attorney General, and upon the State Board of Control by service upon any member of that Board; and provided further, that venue of said unit shall be in Cherokee County, Texas. However, it is to be understood that the purpose of this resolution is to grant permission to said Rogers Hale and Homer Sessions to bring suit against the State of Texas, and no admission of liability of the State is made by this resolution, and the facts as set out herein must be proved in court.

The resolution was read second time and was referred by the Speaker to the Committee on State Affairs.

TO GRANT PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 32, To Grant Bob Millard permission to Sue the State.

Whereas, Bob Millard, of Nacogdoches County, Texas, has filed suit against Nacogdoches County for damages for the construction under and by authority of the State of

Texas, the State Highway Department, and Nacogdoches County for a certain right-of-way on old Highway No. 35, now designated as No. 59, north of said Nacogdoches in said county, in which he alleges that he executed a right-of-way deed to the State of Texas; and

Whereas, The said Bob Millard alleges by virtue of the construction of said highway and overpass in connection therewith, his property was damaged and that by virtue of said deed the State of Texas, the State Highway Department and Nacogdoches County are liable to him for damages; and

Whereas, The said Bob Millard is desirous of determining the liability of the State of Texas, the State Highway Department and Nacogdoches County, Texas, through the courts of this State; now, therefore, be it

Resolved, by the Senate of the State of Texas, the House of Representatives concurring, That the said Bob Millard be, and he is hereby authorized to file suit against the State Highway Department, the State of Texas in the District Court of Nacogdoches County, Texas, to determine the damages, if any, he is entitled to recover; and that in the event said suit is filed, service of citation or other necessary process shall be upon the Chairman of the Highway Commission and the Attorney General of the State of Texas, and that said case shall be tried as all other civil cases; and in the event said Bob Millard has already filed suit against said Nacogdoches County, he shall have the right under leave of the court to make said State of Texas and the State Highway Department parties to said suit; and, be it further

Resolved, That this resolution is in no manner an admission of any liability but is for the sole and only purpose of giving the authority and consent to sue the State of Texas and the State Highway Department and to make said State of Texas and the State Highway Department parties defendants to any cause of action, if any, heretofore filed by said Bob Millard against Nacogdoches County.

The resolution was read second time and was referred by the Speak-

er to the Committee on State Affairs.

EXTENDING INVITATION TO THE HON. LYNDON JOHNSON

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 36, Inviting the Honorable Lyndon Johnson to address the Legislature.

Whereas, April 21, 1941, is the 105th anniversary of the Battle of San Jacinto, where a small band of patriots, by their valor and consecration to ideals of liberty and freedom, liberated and freed the people of Texas from despotism and tyranny; and

Whereas, There exists in the world today another such chaotic condition, and democratic ideals are in danger; and

Whereas, Our great President, Franklin D. Roosevelt, has been instrumental in making these United States an arsenal for democracy and freedom; and

Whereas, The Honorable Lyndon B. Johnson, a Member of Congress from Texas, has been an able and staunch supporter of the President, and has given him loyal support in his policies; and

Whereas, The forebears and relatives of the said Lyndon B. Johnson were identified with the Independence of Texas; and

Whereas, His father, the late Sam E. Johnson, a former Member of the Texas House of Representatives, was the author of the Alamo Purchase Bill; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Honorable Lyndon B. Johnson be invited to address a Joint Session of the Texas Legislature on April 21st, at 11:00 a. m., on the subject of "Texas Independence and Future World Freedom"; and be it further

Resolved, That the Clerk of the House of Representatives send a copy of this resolution to Mr. Johnson and make the necessary preparations for his accepting this invitation herein expressed; and be it further

Resolved, That the time for this

address be set by the Speaker of the House of Representatives to suit the convenience of Mr. Johnson.

The resolution was read second time and was unanimously adopted.

RELATIVE TO HOUSE BILL NO. 444

On motion of Mr. Chambers and by unanimous consent of the House, the caption of House Bill No. 444 was ordered amended to conform to all changes and with the body of the bill.

ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following Members were authorized to sign bills as coauthors of same, as follows:

Mr. Lock: House Bill No. 825.

Mr. Kersey and Mr. Morris: House Bill No. 238.

RELATIVE TO STATE LABOR DEPARTMENT

In compliance with House Simple Resolution No. 173, by Mr. Boone, Providing for Certain Investigation of the State Labor Department, the Speaker announced the appointment of the following:

Mr. Goodman, Chairman; Mr. Benton, Mr. Cato, Mr. Knight and Mr. Brawner.

RECESS

Mr. Kersey moved that the House recess until 3:00 o'clock p. m. today.

Mr. Halsey moved that the House recess until 2:30 o'clock p. m. today.

Mr. Kennedy moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion of Mr. Kersey prevailed and the House accordingly, at 12:55 o'clock p. m., took recess until 3:00 o'clock p. m. today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

SENATE BILL NO. 67 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 67, A bill to be entitled "An Act giving to Boards of Trustees of Independent and Common School Districts in this State the power to designate certain grades or sections of grades above second grade, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 67 ON
THIRD READING

Mr. Morse moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 67 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Allen	Ellis
Alsup	Eubank
Avant	Evans
Bailey	Favors
Bean	Ferguson
Benton	Files
Blankenship	Fuchs
Boone	Gandy
Brawner	Garland
Bruhl	Gilmer
Bullock	Hanna
Bundy	Hardeman
Burnaman	Harris of Dallas
Carrington	Heflin
Cato	Helpinstill
Celaya	Hobbs
Clark	Howington
Cleveland	Hoyo
Coker	Huddleston
Colson, Mrs.	Huffman
Connelly	Hughes
Craig	Humphrey
Crossley	Hutchinson
Crosthwait	Isaacks
Daniel	Jones
Davis	Kelly
Deen	Kennedy
Dickson of Bexar	Kersey
Dove	King
Duckett	Klingeman
Dwyer	Knight

Lehman
Little
Lock
Love
Lowry
Lucas
Lyle
McAlister
McCann
McDonald
McGlasson
McNamara
Manford
Manning
Markle
Martin
Matthews
Mills
Montgomery
Moore
Morse
Murray
Pace
Parker

Pevehouse
Phillips
Price
Rampy
Reed of Bowie
Reed of Dallas
Ridgeway
Roark
Roberts
Sallas
Senterfitt
Sharpe
Shell
Smith of Bastrop
Smith of Atascosa
Stinson
Stubbs
Taylor
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—3

Fitzgerald
Simpson

Thornton

Absent

Allison	Henderson
Anderson	Hileman
Baker	Howard
Bell	Kinard
Bray	Lansberry
Bridgers	McLellan
Brown	McMurry
Burkett	Morgan
Carlton	Morris
Chambers	Nicholson
Dickson of Nolan	Rhodes
Donald	Skiles
Goodman	Spacek
Halsey	Spangler
Hargis	Stanford
Harris of Hill	Turner
Hartzog	Vale

Absent—Excused

Leyendecker Voigt

The Speaker then laid Senate Bill No. 67 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—114

Allen	Alsup
Allison	Avant

Bean	Kennedy
Benton	Kersey
Blankenship	Kinard
Boone	King
Brawner	Klingeman
Bray	Knight
Bridgers	Lehman
Brown	Little
Bruhl	Love
Bullock	Lowry
Burnaman	Lucas
Carrington	Lyle
Cato	McAlister
Celaya	McCann
Clark	McDonald
Coker	McGlasson
Colson, Mrs.	McNamara
Connelly	Manford
Crossley	Manning
Crosthwait	Markle
Daniel	Mills
Davis	Montgomery
Deen	Moore
Dickson of Bexar	Morgan
Donald	Morris
Dove	Morse
Duckett	Murray
Dwyer	Nicholson
Ellis	Pace
Evans	Parker
Favors	Pevehouse
Ferguson	Phillips
Files	Rampy
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Ridgeway
Gilmer	Rhodes
Goodman	Roark
Hanna	Roberts
Hardeman	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Shell
Hartzog	Simpson
Heflin	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hobbs	Stinson
Howington	Stubbs
Hoyo	Taylor
Huddleston	Walters
Huffman	Wattner
Hughes	Weatherford
Humphrey	White
Hutchinson	Whitesides
Isaacks	Winfree

Nays—8

Cleveland	Lock
Craig	Matthews
Fitzgerald	Price
Jones	Thornton

Absent

Anderson	Howard
Bailey	Kelly
Baker	Lansberry
Bell	McLellan
Bundy	McMurry
Burkett	Martin
Carlton	Sharpe
Chambers	Spacek
Dickson of Nolan	Spangler
Eubank	Stanford
Halsey	Turner
Hargis	Vale
Hileman	

Absent—Excused

Leyendecker	Voigt
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SENATE BILL NO. 142 ON
SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 142, A bill to be entitled "An Act amending Chapter 8, Article 149, of the Revised Civil Statutes, of the State of Texas, by adding a new Article to be numbered 149H, authorizing and empowering the Board of Directors of the Agricultural and Mechanical College of Texas to establish and maintain an Agricultural Experimental Station for the purpose of making scientific investigations and experiments in the study of poultry problems with particular emphasis on the study of problems relating to the scientific production of broilers and fryers in the South Central Texas region, said station to be located in Gonzales County, etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 142 ON
THIRD READING

Mr. Manford moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—126

Allen	Alsup
Allison	Avant

Bailey	Kelly
Baker	Kennedy
Bean	Kersey
Benton	King
Blankenship	Klingeman
Brawner	Knight
Bray	Lehman
Bridgers	Little
Brown	Lock
Bruhl	Love
Bullock	Lowry
Bundy	Lucas
Burkett	Lyle
Carrington	McAlister
Cato	McCann
Celaya	McDonald
Clark	McGlasson
Cleveland	McLellan
Coker	McNamara
Colson, Mrs.	Manford
Connelly	Manning
Craig	Markle
Crossley	Matthews
Daniel	Mills
Davis	Montgomery
Deen	Moore
Dickson of Bexar	Morgan
Donald	Morris
Dove	Morse
Duckett	Murray
Dwyer	Nicholson
Ellis	Pace
Eubank	Parker
Evans	Pevehouse
Favors	Phillips
Ferguson	Price
Files	Rampy
Fitzgerald	Reed of Bowie
Fuchs	Reed of Dallas
Gandy	Ridgeway
Garland	Rhodes
Gilmer	Roark
Hanna	Roberts
Hardeman	Sallas
Harris of Dallas	Senterfitt
Harris of Hill	Sharpe
Hartzog	Shell
Heflin	Simpson
Helpinstill	Skiles
Henderson	Smith of Bastrop
Hobbs	Smith of Atascosa
Howard	Stinson
Howington	Stubbs
Hoyo	Taylor
Huddleston	Thornton
Huffman	Turner
Hughes	Walters
Humphrey	Wattner
Hutchinson	Weatherford
Jones	White

Whitesides	Winfree
	Absent
Anderson	Hileman
Bell	Isaacks
Boone	Kinard
Burnaman	Lansberry
Carlton	McMurry
Chambers	Martin
Crosthwait	Spacek
Dickson of Nolan	Spangler
Goodman	Stanford
Halsey	Vale
Hargis	

Absent—Excused

Leyendecker	Voigt
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The Speaker then laid Senate Bill No. 142 before the House on third reading and final passage.

The bill was read third time and was passed.

SENATE BILL NO. 150 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 150, A bill to be entitled "An Act to create a Policemen, Firemen, and Fire Alarm Operators' Pension System for all cities in the State of Texas having a population in excess of two hundred thousand (200,000) inhabitants and less than two hundred and ninety-three thousand (293,000) inhabitants, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 150 ON THIRD READING

Mr. Hoyo moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that Senate Bill No. 150 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—125

Allen	Anderson
Allison	Avant
Alsup	Bailey

Baker	Kennedy
Benton	Kersey
Blankenship	Kinard
Boone	King
Brawner	Knight
Bray	Lehman
Bridgers	Little
Brown	Lock
Bruhl	Love
Bullock	Lowry
Bundy	Lucas
Burkett	Lyle
Burnaman	McAlister
Carlton	McCann
Carrington	McDonald
Cato	McGlasson
Celaya	McLellan
Cleveland	McNamara
Coker	Manford
Colson, Mrs.	Markle
Connelly	Matthews
Craig	Mills
Crossley	Montgomery
Crothwait	Moore
Daniel	Morgan
Davis	Morris
Deen	Morse
Donald	Murray
Dove	Nicholson
Duckett	Pace
Dwyer	Parker
Ellis	Pevehouse
Eubank	Phillips
Evans	Price
Favors	Rampy
Ferguson	Reed of Bowie
Files	Reed of Dallas
Fitzgerald	Ridgeway
Fuchs	Rhodes
Gandy	Roark
Gilmer	Roberts
Goodman	Sallas
Halsey	Senterfitt
Hanna	Sharpe
Hardeman	Shell
Hargis	Simpson
Harris of Hill	Skiles
Heflin	Smith of Bastrop
Helpinstill	Smith of Atascosa
Henderson	Spangler
Hobbs	Stinson
Howard	Stubbs
Howington	Thornton
Hoyo	Walters
Huddleston	Wattner
Huffman	Weatherford
Hughes	White
Humphrey	Whitesides
Hutchinson	Winfree
Kelly	

Present—Not Voting

Dickson of Bexar

Absent

Bean	Jones
Bell	Klingeman
Chambers	Lansberry
Clark	McMurry
Dickson of Nolan	Martin
Garland	Spacek
Harris of Dallas	Stanford
Hartzog	Taylor
Hileman	Turner
Isaacks	Vale

Absent—Excused

Leyendecker	Voigt
Manning	

The Speaker then laid Senate Bill No. 150 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—123

Allen	Eubank
Allison	Evans
Alsup	Favors
Anderson	Ferguson
Avant	Files
Bailey	Fitzgerald
Baker	Fuchs
Bean	Gandy
Benton	Gilmer
Blankenship	Halsey
Boone	Hanna
Brawner	Hardeman
Bray	Hargis
Brown	Harris of Dallas
Bruhl	Harris of Hill
Bullock	Helpinstill
Bundy	Henderson
Burkett	Hobbs
Burnaman	Howington
Carrington	Hoyo
Cato	Huddleston
Celaya	Huffman
Clark	Hughes
Cleveland	Humphrey
Coker	Hutchinson
Colson, Mrs.	Isaacks
Connelly	Jones
Craig	Kelly
Crossley	Kennedy
Crothwait	Kersey
Davis	Kinard
Deen	King
Donald	Knight
Dove	Lehman
Duckett	Little
Dwyer	Lock
Ellis	Love

Lowry	Reed of Bowie
Lucas	Reed of Dallas
Lyle	Ridgeway
McAlister	Rhodes
McCann	Roark
McDonald	Roberts
McGlasson	Sallas
McLellan	Senterfitt
McNamara	Sharpe
Manford	Shell
Markle	Simpson
Matthews	Skiles
Mills	Smith of Bastrop
Montgomery	Smith of Atascosa
Moore	Spangler
Morgan	Stinson
Morris	Stubbs
Morse	Thornton
Murray	Turner
Pace	Walters
Parker	Wattner
Pevehouse	Weatherford
Phillips	White
Price	Whitesides
Rampy	Winfree

Present—Not Voting

Dickson of Bexar

Absent

Bell	Howard
Bridgers	Klingeman
Carlton	Lansberry
Chambers	McMurry
Daniel	Martin
Dickson of Nolan	Nicholson
Garland	Spacek
Goodman	Stanford
Hartzog	Taylor
Heflin	Vale
Hileman	

Absent—Excused

Leyendecker	Voigt
Manning	

SENATE BILL NO. 405 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 405, A bill to be entitled "An Act fixing the term of office of school trustees of independent School Districts, whether created under General Law or by Special Act of the Legislature; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

SENATE BILL NO. 405 ON THIRD READING

Mr. Shell moved that the Constitutional Rule requiring bills to be read on three several days be suspended and that Senate Bill No. 405 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Allen	Hobbs
Allison	Howington
Alsup	Hoyo
Avant	Huddleston
Bailey	Huffman
Baker	Hughes
Benton	Humphrey
Blankenship	Hutchinson
Boone	Isaacks
Bray	Jones
Bridgers	Kelly
Brown	Kennedy
Bruhl	Kersey
Bullock	Kinard
Bundy	King
Burkett	Knight
Burnaman	Lansberry
Carrington	Lehman
Cato	Little
Celaya	Lock
Clark	Love
Coker	Lowry
Colson, Mrs.	Lucas
Connelly	Lyle
Craig	McCann
Crossley	McDonald
Crosthwait	McGlasson
Daniel	McLellan
Davis	McNamara
Deen	Manford
Donald	Manning
Dove	Markle
Duckett	Matthews
Ellis	Mills
Eubank	Montgomery
Evans	Moore
Favors	Morgan
Ferguson	Morse
Files	Murray
Fitzgerald	Nicholson
Fuchs	Parker
Gandy	Pevehouse
Gilmer	Price
Goodman	Rampy
Hanna	Reed of Bowie
Hargis	Reed of Dallas
Harris of Dallas	Rhodes
Helpinstill	Ridgeway
Henderson	Roark

Roberts	Stinson
Sallas	Stubbs
Senterfitt	Thornton
Sharpe	Turner
Shell	Walters
Simpson	Wattner
Smith of Bastrop	Weatherford
Smith of Atascosa	White
Spangler	Whitesides
Stanford	

Absent

Anderson	Heflin
Bean	Hileman
Bell	Howard
Brawner	Klingeman
Carlton	McAlister
Chambers	McMurry
Cleveland	Martin
Dickson of Bexar	Morris
Dickson of Nolan	Pace
Dwyer	Phillips
Garland	Skiles
Halsey	Spacek
Hardeman	Taylor
Harris of Hill	Vale
Hartzog	Winfree

Absent—Excused

Leyendecker	Voigt
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The Speaker then laid Senate Bill No. 405 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—117

Allen	Clark
Allison	Coker
Alsup	Colson, Mrs.
Avant	Connelly
Bailey	Craig
Baker	Crossley
Benton	Crosthwait
Blankenship	Daniel
Boone	Davis
Bray	Deen
Bridgers	Donald
Brown	Dove
Bruhl	Duckett
Bullock	Ellis
Bundy	Eubank
Burkett	Evans
Burnaman	Favors
Carrington	Ferguson
Cato	Files
Celaya	Fitzgerald

Fuchs	Manning
Gandy	Markle
Gilmer	Matthews
Goodman	Mills
Hanna	Montgomery
Hardeman	Moore
Hargis	Morgan
Harris of Dallas	Morse
Helpinstill	Murray
Hobbs	Nicholson
Howington	Parker
Hoyo	Pevehouse
Huddleston	Price
Huffman	Rampy
Hughes	Reed of Bowie
Humphrey	Reed of Dallas
Hutchinson	Ridgeway
Isaacks	Rhodes
Jones	Roark
Kelly	Roberts
Kennedy	Sallas
Kersey	Senterfitt
Kinard	Sharpe
King	Shell
Knight	Simpson
Lansberry	Smith of Bastrop
Lehman	Smith of Atascosa
Little	Spangler
Lock	Stanford
Love	Stinson
Lowry	Stubbs
Lucas	Thornton
Lyle	Turner
McCann	Walters
McDonald	Wattner
McGlasson	Weatherford
McLellan	White
McNamara	Whitesides
Manford	

Absent

Anderson	Heflin
Bean	Hileman
Bell	Howard
Brawner	Klingeman
Carlton	McAlister
Chambers	McMurry
Cleveland	Martin
Dickson of Bexar	Morris
Dickson of Nolan	Pace
Dwyer	Phillips
Garland	Skiles
Halsey	Spacek
Henderson	Taylor
Harris of Hill	Vale
Hartzog	Winfree

Absent—Excused

Leyendecker	Voigt
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HOUSE BILL NO. 136 ON PAS-
SAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 136, A bill to be entitled "An Act to promote, encourage, increase, and stimulate the use and sale of rice; to promote the prosperity and welfare of rice growers and producers in the State of Texas through the conducting of a publicity, sales promotion and development campaign; to conduct research in and develop new uses for rice and rice products; to levy and impose a tax or assessment on rice milled in the State of Texas, and to provide for the collection thereof to create a rice development fund; to create a rice development commission to administer and to control the rice development campaign, and to provide the powers, duties and authority and to define the terms of office of said commission; to provide when and how said levy or tax shall be paid and collected; to provide penalties for the violation of this Act; to provide for cooperation and joint action in said development campaign with officers, boards, commissions, departments or other authorities created or which may be created in the State of Louisiana and Arkansas upon which similar powers, duties and purposes have been or may be conferred; to repeal all laws or parts of laws in conflict herewith; fixing the effective date of the Act; and declaring an emergency."

The bill having heretofore been read second time with amendment by Mr. Hutchinson, amendment by Mr. Phillips to the amendment and point of order by Mr. Hardeman, pending.

The Speaker overruled the point of order.

Mr. Hutchinson moved to table the amendment by Mr. Phillips.

The motion to table was lost.

Mr. Fuchs offered the following substitute for the amendment by Mr. Phillips:

Amend amendment to House Bill No. 136 by adding the following as

Section 15A in place of the present Section 15A:

"Sec. 15A. That this Act shall expire in two (2) years after its effective date unless at least sixty (60%) per cent of the rice growers and rice millers of Texas, as those terms are defined herein, voting an election to be held in each County in Texas in which rice is grown or milled on the last Saturday in July in 1943, vote to extend the operation of this Act and the Texas Rice Development program for another two (2) years. If less than sixty (60%) of those voting at such election fail to vote in favor of the extension of the operation of this Act, then the same shall expire two (2) years after its effective date. If at least sixty (60%) per cent of those voting at such election favor the extension, then this Act shall continue in effect for an additional two (2) years from its effective date, and similar elections shall be held on the last Saturday of July, 1945, and every two (2) years thereafter so long as the operation such Act continues in effect, so as to determine whether the operation of same shall be continued or whether it shall expire.

"Such elections shall be held by the County Clerk of each County in which one or more rice growers or rice millers grow or mill rice, and ballots shall be furnished for each grower or miller, at any time from 7:00 A. M. to 7:00 P. M. of election day, who shall register his name with the Clerk on a list which shall contain the names of all persons voting at the election, and each person shall make affidavit upon signing such list that he either is a Texas rice grower or a Texas rice miller, as those terms are defined herein, and that he grows or mills rice in such county, after which he shall be given a ballot by the Clerk, which shall be secret and cast in the same manner as in regular general elections, and which shall read as follows: 'For the extension of the operation of the Texas Rice Development law for two (2) years' and 'Against the extension of the Texas Rice Development Commission for two (2) years,' which shall be marked by the voter as in general elections and canvassed by the County Clerk of each county and re-

ported to the Secretary of State on the Monday following the election, and the Secretary of State shall canvass the returns of the County Clerks on the second Monday following the election, and announce the result and under his official seal declare the number of votes for and number against by counties, and declaring the total, and that the operation of the Act will expire or be extended, as the case may be, in accordance with the terms and conditions of this Act, which action of the Secretary of State shall constitute the official record of the extension or expiration of the operation of this Act.

"The printing of ballots and all costs of each election held under this Act shall be paid out of the administration expense of the Texas Rice Commission, including a fee of Ten (\$10.00) Dollars to each County Clerk whose county casts fifty (50) or more votes and Five (\$5.00) Dollars to each County Clerk whose county casts more than one (1) but less than fifty (50) votes in such election; and such ballots and return sheets shall be furnished by the Texas Rice Commission."

FUCHS,
DANIEL,
DUCKETT.

Mr. Phillips moved to table the substitute amendment by Mr. Fuchs.

The motion to table was lost.

Question recurring on the substitute amendment by Mr. Fuchs, yeas and nays were demanded.

The substitute amendment was adopted by the following vote:

Yeas—70

Allison	Craig
Avant	Crossley
Bean	Crosthwait
Bray	Daniel
Brown	Davis
Bruhl	Donald
Bullock	Duckett
Bundy	Dwyer
Burnaman	Eubank
Carrington	Evans
Cato	Favors
Clark	Ferguson
Cleveland	Files
Coker	Fuchs

Gandy
Goodman
Halsey
Hanna
Hargis
Hobbs
Hoyo
Hutchinson
Kennedy
Kinard
Knight
Lehman
Little
Lock
Lowry
Lucas
McAlister
McDonald
McLellan
McMurry
McNamara

Manford
Manning
Matthews
Montgomery
Murray
Nicholson
Parker
Pevehouse
Reed of Bowie
Ridgeway
Roark
Roberts
Sallas
Sharpe
Simpson
Smith of Atascosa
Vale
Walters
Weatherford
Whitesides
Winfree

Nays—48

Bailey
Baker
Benton
Boone
Brawner
Burkett
Carlton
Celaya
Connelly
Fitzgerald
Garland
Gilmer
Hardeman
Harris of Dallas
Hartzog
Heflin
Helpinstill
Henderson
Hileman
Huddleston
Huffman
Hughes
Humphrey
Kelly

Kersey
King
Klingeman
Lansberry
Love
McGlasson
Markle
Martin
Mills
Moore
Morgan
Morris
Morse
Pace
Phillips
Rampy
Rhodes
Skiles
Smith of Bastrop
Spacek
Stanford
Stinson
Stubbs
Taylor

Present—Not Voting

Allen	Lyle
Alsup	Price
Ellis	Senterfitt
Jones	Wattner

Absent

Anderson	Dickson of Bexar
Bell	Dickson of Nolan
Blankenship	Dove
Bridgers	Harris of Hill
Chambers	Howard
Colson, Mrs.	Howington
Deen	Isaacks

McCann Thornton
 Reed of Dallas Turner
 Shell White
 Spangler

Absent—Excused

Leyendecker Voigt

Mr. Hutchinson moved to reconsider the vote by which the substitute amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Phillips moved that House Bill No. 136 be tabled.

The motion to table was lost.

Question then recurring on the amendment by Mr. Phillips, as substituted by the amendment by Mr. Fuchs, it was adopted.

Mr. Phillips offered the following amendment to the amendment:

Amend the substitute to House Bill No. 136 by striking out Sections 9 and 10 and inserting in lieu thereof the following:

Sec. 9. That the Commission shall serve without pay, except the members thereof shall receive not in excess of \$10.00 per day for every day actually expended in connection with their duties as provided.

Sec. 10. The Commission shall select all necessary employees to carry out the provisions of this Act, provided that such employees shall be paid the same salaries as provided in the general appropriation bill for such similar work; and provided that the Legislature of the State of Texas shall set the salaries and expenses to carry out the provisions of this Act.

PHILLIPS,
 ALSUP.

The amendment to the amendment was adopted.

Mr. Heflin offered the following amendment to the amendment:

Amend House Bill No. 136 by adding a new section as follows:

"Regardless of the other provisions of this Act, all duties and functions herein delegated to the Texas Rice Commission shall be and are hereby delegated to the Department of Agriculture and shall be ad-

ministered by and under said Department or any other State agency hereafter created to perform the present duties of the Commissioner and Department of Agriculture, and the Commissioner or Board of Agriculture shall appoint a Texas Rice Development Commission in accordance with this Act to work with the department and the Commissions of other States in an advisory capacity, but as a part of the Department of Agriculture and not as a separate or new State agency."

The amendment to the amendment was adopted.

Question then recurring on the amendment by Mr. Hutchinson, as amended, it was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

Question recurring on the engrossment of House Bill No. 136, yeas and nays were demanded.

House Bill No. 136 was then passed to engrossment by the following vote:

Yeas—68

Allison	Goodman
Alsup	Halsey
Avant	Hanna
Bridgers	Hargis
Brown	Harris of Dallas
Bruhl	Helpinstill
Bullock	Hobbs
Bundy	Hoyo
Burnaman	Hutchinson
Carrington	Kennedy
Cato	Kinard
Clark	Lehman
Cleveland	Lock
Coker	Lowry
Crosthwait	Lucas
Daniel	McAlister
Davis	McCann
Dickson of Bexar	McDonald
Donald	McLellan
Dove	McMurry
Duckett	McNamara
Dwyer	Manford
Eubank	Manning
Evans	Matthews
Favors	Montgomery
Ferguson	Nicholson
Fuchs	Parker

Pevehouse	Spacek
Price	Thornton
Reed of Dallas	Walters
Ridgeway	Weatherford
Roark	White
Sallas	Whitesides
Sharpe	Winfree

Nays—55

Bailey	Kelly
Baker	Kersey
Bean	King
Benton	Klingeman
Blankenship	Knight
Boone	Lansberry
Brawner	Love
Bray	McGlasson
Burkett	Markle
Carlton	Martin
Celaya	Mills
Connelly	Moore
Craig	Morgan
Crossley	Morris
Ellis	Morse
Fitzgerald	Pace
Garland	Phillips
Hardeman	Rampy
Hartzog	Rhodes
Heflin	Simpson
Henderson	Skiles
Hileman	Smith of Bastrop
Huddleston	Smith of Atascosa
Huffman	Stanford
Hughes	Stinson
Humphrey	Stubbs
Isaacks	Vale
Jones	

Present—Not Voting

Colson, Mrs.	Roberts
Gandy	Senterfitt
Reed of Bowie	Wattner

Absent

Allen	Howard
Anderson	Howington
Bell	Little
Chambers	Lyle
Deen	Murray
Dickson of Nolan	Shell
Files	Spangler
Gilmer	Taylor
Harris of Hill	Turner

Absent—Excused

Leyendecker	Voigt
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Mr. Hutchinson moved to reconsider the vote by which the bill was engrossed, and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE HOUSE BILL NO. 136 ON THIRD READING

Mr. Hutchinson moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 136 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—59

Allison	Hoyo
Alsup	Hutchinson
Avant	Kennedy
Bray	Kinard
Bridgers	Little
Brown	Lock
Bruhl	Lowry
Bullock	Lucas
Bundy	Lyle
Burnaman	McAlister
Carrington	McDonald
Cato	McLellan
Clark	McMurry
Cleveland	Manford
Coker	Manning
Crosthwait	Matthews
Daniel	Montgomery
Davis	Murray
Dove	Nicholson
Duckett	Parker
Evans	Ridgeway
Favors	Roark
Ferguson	Sallas
Files	Sharpe
Fuchs	Thornton
Goodman	Walters
Halsey	Weatherford
Hanna	Whitesides
Hargis	Winfree
Hileman	

Nays—56

Bailey	Hardeman
Baker	Harris of Dallas
Bean	Heflin
Benton	Helpinstill
Boone	Henderson
Brawner	Hobbs
Burkett	Huddleston
Carlton	Huffman
Connelly	Hughes
Craig	Humphrey
Crossley	Jones
Donald	Kelly
Ellis	Kersey
Fitzgerald	King
Garland	Klingeman

Knight	Morse
Lansberry	Pace
Lehman	Phillips
Love	Rampy
McCann	Rhodes
McGlasson	Simpson
McNamara	Skiles
Markle	Smith of Bastrop
Martin	Smith of Atascosa
Mills	Spacek
Moore	Stanford
Morgan	Stinson
Morris	Stubbs

Present—Not Voting

Allen	Roberts
Price	Senterfitt
Reed of Bowie	Wattner
Reed of Dallas	

Absent

Anderson	Harris of Hill
Bell	Hartzog
Blankenship	Howard
Celaya	Howington
Chambers	Isaacks
Colson, Mrs.	Pevehouse
Deen	Shell
Dickson of Bexar	Spangler
Dickson of Nolan	Taylor
Dwyer	Turner
Eubank	Vale
Gandy	White
Gilmer	

Absent—Excused

Leyendecker	Voigt
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HOUSE BILL NO. 156 ON PAS-
SAGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 156, A bill to be entitled "An Act amending Section 6, Chapter 465, Acts of the 44th Legislature, Second Called Session, by providing that apportionment to respective counties of the State for the benefit of its officers salary fund shall be on the basis of fourteen cents per capita according to the last preceding Federal Census and declaring an emergency."

The bill having heretofore been read second time.

Mr. McAlister offered the following amendment to the bill:

Amend House Bill No. 156 by striking out all below the enacting clause and substitute in lieu thereof the following:

Section 1. That Section 6 of Chapter 465, of the Acts of the 44th Legislature, Second Called Session, be and the same is hereby amended so that it shall hereafter read as follows:

"Sec. 6. (a) In counties wherein the county officials are on a salary basis, in addition to the monies deposited in said Officers' Salary Fund or Funds under the provisions of Sections 1, 3 and 5 of this Act there shall be deposited therein quarterly on the first day of January, April, July and October of each year, such sums as may be apportioned to such county under the provisions of this Act, out of the available appropriations made by the Legislature for such purpose, provided, however, that in counties wherein the Commissioners' Court is authorized to determine whether county officers shall be compensated on a salary basis, no apportionment shall be made to such county until the Comptroller of Public Accounts shall have been notified of the order of the Commissioners' Court that the county officers of such county shall be compensated on a salary basis for the fiscal year, and in that case the first quarterly payment of such apportionment shall be made in fifteen (15) days after receipt of such notice by the Comptroller, and the remaining payments on the dates hereinabove prescribed. It shall be the duty of the Comptroller of Public Accounts to annually apportion to all counties in which the county officers are to be compensated on the basis of a salary any monies, appropriated for said year for such apportionment; each county entitled to participate in such apportionment shall receive for the benefit of its Officers' Salary Fund or Funds its proportionate part of the appropriation which shall be distributed among the several counties entitled to participate therein, on the basis of the per capita population of each county according to the last preceding Federal Census; provided that the annual apportion-

ment for such purposes shall be fourteen (14¢) cents per capita of said population of each county where county officers are compensated on a salary basis under the provisions of this Act. Provided that in all counties which had a population of less than sixty thousand (60,000) inhabitants in 1930 according to the Federal Census of 1930 and which now have ad valorem valuations for all purposes according to the last approved tax roll of such county, which have increased at least fifty (50) per cent over the valuation for 1930, the amount to be paid to each of said counties for its salary fund shall be twenty-five (25¢) cents per capita based on the 1930 population. The quarterly payment for such apportionment of such appropriation shall be made on warrants drawn by the State Comptroller upon the State Treasury payable to the county treasurer of the county in whose favor the apportionment is made and said warrants shall be registered by the Comptroller and the Treasurer and shall be mailed by the Comptroller to the treasurer of the county.

(b) No officer receiving a salary shall hereafter receive any ex officio compensation; provided, however, the Commissioners' Court shall transfer from the General Fund of the county to the Officers' Salary Fund or Funds of such county such funds as may be necessary to pay the salaries and other claims chargeable against the same when the monies deposited therein are insufficient to meet the claims payable therefrom.

(c) Any monies remaining in the Officers' Salary Fund or Funds of any county at the end of any fiscal year after all salaries and authorized expenses incurred against said fund for said year shall have been paid may be, by order of the Commissioners' Court, transferred to the credit of the General Fund of the County.

Sec. 2. The fact that the operation of the Officers' Salary Law has placed a greater and more onerous burden on the counties of this State than was contemplated at the time of its passage, and the further fact that the said counties are entitled to a larger contribution from the

State in connection with the payment of the salaries of the public officials coming under the provisions of the law, creates an emergency and an imperative public necessity requiring the Constitutional Rule that bills be read on three several days in each House be suspended, and the same is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so ordered.

Mr. Alsup offered the following amendment to the amendment:

Amend House Bill No. 156, page 2, line 8, by striking out all words and figures after the word "Act" on said line through the words and figures "1930 population" on line 16, page 2.

The amendment to the amendment was adopted.

The amendment, as amended, was then adopted.

Mr. McAlister offered the following amendment to the bill:

Amend House Bill No. 156 by striking out all above the enacting clause and substituting in lieu thereof the following:

H. B. No. 156,

A BILL

To Be Entitled

An Act amending Section 6, Chapter 465, Acts of the 44th Legislature, Second Called Session, by providing that the apportionment to certain counties of the State for the benefit of their officers salary fund shall be on the basis of fourteen cents per capita and the apportionment to certain other counties shall be twenty-five cents per capita according to the last preceding Federal Census, and declaring an emergency.

The amendment was adopted.

Mr. Alsup moved that House Bill No. 156 be recommitted to the Committee on Appropriations.

Mr. McAlister moved to table the motion to recommit.

The motion to table was lost.

Question then recurring on the motion to recommit House Bill No.

156 to the Committee on Appropriations, it prevailed.

HOUSE BILL NO. 44 ON THIRD READING

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 44, A bill to be entitled "An Act to amend Articles 195 and 196, Revised Civil Statutes of 1925, State of Texas, fixing the time of taking effect of this Act, and declaring an emergency."

The bill was read third time.

Mr. Garland offered the following amendment to the bill:

Amend House Bill No. 44 by striking out the words "and Lamar" in District 86, and by substituting in Article 196, the words "Red River" in place of "Lamar" in District 86.

On motion of Mr. Kinard, the amendment by Mr. Garland was tabled.

Mr. Garland moved to suspend the Rules for the purpose of making a motion to reconsider the vote by which the amendment was tabled.

The motion to suspend the Rules was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—60

Allen	Fitzgerald
Alsup	Garland
Avant	Hargis
Bailey	Harris of Hill
Boone	Helpinstill
Brawner	Hileman
Bruhl	Huddleston
Bundy	Hughes
Carlton	Humphrey
Cato	Jones
Celaya	Kelly
Cleveland	Kersey
Connelly	King
Daniel	Knight
Dickson of Bexar	Lansberry
Donald	Lehman
Dove	McCann
Duckett	McLellan
Ellis	Manford
Evans	Manning
Files	Martin

Matthews
Moore
Morgan
Morris
Murray
Price
Rampy
Reed of Bowie
Ridgeway

Senterfitt
Sharpe
Skiles
Smith of Bastrop
Stubbs
Taylor
Thornton
Weatherford
White

Nays—57

Bean
Benton
Blankenship
Bray
Bridgers
Brown
Bullock
Burkett
Clark
Coker
Craig
Crosthwait
Davis
Deen
Favors
Ferguson
Fuchs
Gandy
Halsey
Hanna
Harris of Dallas
Heflin
Henderson
Howard
Howington
Hoyo
Kennedy
Kinard
Lock

Love
Lowry
Lyle
McAlister
McDonald
McGlasson
McNamara
Markle
Mills
Montgomery
Morse
Pace
Parker
Reed of Dallas
Rhodes
Roark
Roberts
Sallas
Simpson
Smith of Atascosa
Spacek
Spangler
Stinson
Vale
Walters
Wattner
Whitesides
Winfree

Absent

Allison	Hartzog
Anderson	Hobbs
Baker	Huffman
Bell	Hutchinson
Burnaman	Isaacks
Carrington	Klingeman
Chambers	Little
Colson, Mrs.	Lucas
Crossley	McMurry
Dickson of Nolan	Nicholson
Dwyer	Pevehouse
Eubank	Phillips
Gilmer	Shell
Goodman	Stanford
Hardeman	Turner

Absent—Excused

Leyendecker Voigt

Mr. Bailey offered the following amendment to the bill:

Amend House Bill No. 44, District No. 84, by eliminating Hopkins County.

On motion of Mr. Kinard, the amendment was tabled.

Mr. McMurry offered the following amendment to the bill:

Amend substitute for Committee Amendment No. 1 to House Bill No. 44 by striking out District 93 and inserting in lieu thereof the following:

"District 93. Clay, Archer and Baylor."

McMURRY,
PARKER,
KING.

Mr. Kinard moved to table the amendment.

The motion to table was lost.

Question then recurring on the amendment by Mr. McMurry, it was adopted.

Mr. Burnaman offered the following amendment to the bill:

Amend House Bill No. 44, Section 1, District No. 13, to read "San Augustine, Jasper and Newton Counties."

The amendment was unanimously adopted.

Mr. Lyle offered the following amendment to the bill:

Amend House Bill No. 44, Section 1, to read as follows:

"District No. 26—Nueces, Kleberg and Kenedy.

District No. 30—Starr, Jim Hogg, Brooks, Jim Wells and Duval."

LYLE,
VALE.

The amendment was unanimously adopted.

Mr. Howington offered the following amendment to the bill:

Amend House Bill No. 44, Section 1, District No. 77 to read as follows:

"Mills, Comanche and Brown."

HOWINGTON,
CHAMBERS.

The amendment was unanimously adopted.

Mr. Bruhl offered the following amendment to the bill:

Amend Committee Amendment No. 1 to House Bill No. 44 as follows:

District No. 68 changed to read as follows: "Menard, Mason, Llano, Gillespie, Blanco and Kendall."

District No. 70 changed to read as follows: "Travis and Burnet."

The amendment was unanimously adopted.

Mr. Phillips offered the following amendment to the bill:

Amend House Bill No. 44 by adding the County of Brazoria to the 36th District.

The amendment was unanimously adopted.

Mr. Hobbs offered the following amendment to the bill:

Amend House Bill No. 44. Make Proposed District No. 21 to read "Wharton and Jackson," District No. 35 to read "Fayette," District No. 36 to read "Lavaca."

HOBBS,
SPACEK,
McLELLAN,
DUCKETT.

The amendment was unanimously adopted.

Mr. McCann offered the following amendment to the bill:

Amend House Bill No. 44 by striking out line 30, page 3, and entering instead No. 86, Bowie and Red River.

Question: Shall the amendment by Mr. McCann be adopted?

SPECIAL ORDER SET

Mr. Harris of Dallas moved that House Bill No. 205 be set for special order at 11:00 o'clock a. m., next Friday.

The motion prevailed by the following vote:

Yeas—114

Allen	Humphrey
Allison	Jones
Alsup	Kennedy
Bailey	Kersey
Baker	King
Bean	Knight
Blankenship	Lansberry
Boone	Lehman
Brawner	Little
Bray	Lock
Bridgers	Love
Brown	Lucas
Bruhl	Lyle
Bundy	McCann
Burkett	McDonald
Burnaman	McLellan
Carlton	McMurry
Cato	McNamara
Celaya	Manford
Clark	Manning
Cleveland	Markle
Coker	Martin
Colson, Mrs.	Matthews
Connelly	Mills
Craig	Montgomery
Crossley	Moore
Crothwait	Morris
Davis	Morse
Deen	Murray
Dickson of Bexar	Pace
Donald	Parker
Dove	Pevehouse
Duckett	Phillips
Dwyer	Price
Ellis	Rampy
Evans	Reed of Dallas
Favors	Rhodes
Ferguson	Roark
Files	Roberts
Fuchs	Sallas
Gandy	Senterfitt
Gilmer	Shell
Hanna	Simpson
Hardeman	Skiles
Hargis	Smith of Atascosa
Harris of Dallas	Spacek
Harris of Hill	Stinson
Hartzog	Stubbs
Heflin	Taylor
Helpinstill	Thornton
Henderson	Vale
Hileman	Walters
Howington	Wattner
Hoyo	Weatherford
Huddleston	White
Huffman	Whitesides
Hughes	Winfree

Nays—2

Bullock	Reed of Bowie
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Present—Not Voting

Fitzgerald

Absent

Anderson	Isaacks
Avant	Kelly
Bell	Kinard
Benton	Klingeman
Carrington	Lowry
Chambers	McAlister
Daniel	McGlasson
Dickson of Nolan	Morgan
Eubank	Nicholson
Garland	Ridgeway
Goodman	Sharpe
Halsey	Smith of Bastrop
Hobbs	Spangler
Howard	Stanford
Hutchinson	Turner

Absent—Excused

Leyendecker	Voigt
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ADDITIONAL SIGNER OF HOUSE BILL

By unanimous consent of the House the following Member was authorized to sign bill as coauthor of same, as follows:

Mr. McGlasson: House Bill No. 825.

HOUSE BILLS ON FIRST READING

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Lucas:

H. B. No. 855, A bill to be entitled "An Act providing (1) an open season for quail in Henderson County from December 1 in one year to January 16 in the following year, both days inclusive; (2) that it shall be lawful to kill quail in Henderson County on Monday, Wednesday and Friday of each week, after the 1st day of December, 1941, and continuing until and including the 16th day of January, 1942, and during the same time each year thereafter on the same days of the week; that twelve (12) quail shall be the limit which any one person may kill in any one day during this period; (3) that quail may be hunted and killed in Henderson County only on

Sundays and Wednesdays during the period from December 1 of one year to January 16th of the following year, both days inclusive; (4) that it shall be unlawful to take, kill, or attempt to take or kill any quail in Henderson County; providing that no section of this Act shall be effective in Henderson County unless and until the qualified voters of the county, by a majority vote at an election held for such purposes, shall have voted therefor; providing that only one section of this Act shall be submitted at any one time for ratification; providing the manner of calling and holding such election; providing for the posting of returns of such election, describing the length of time which must intervene before a second election may be held on the same matter; providing that the cost of such election shall be borne by the petitioners asking for such election; describing violations of this Act and prescribing penalties therefor; limiting the effect of this Act to Henderson County, and repealing all laws or parts of laws in conflict herewith, insofar as they apply to Henderson; and declaring an emergency."

Referred to the Committee on Game and Fisheries.

Mr. Stinson asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 856.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Stinson:

H. B. No. 856, A bill to be entitled "An Act amending Section 1 of Article 2462 of the Revised Civil Statutes of Texas of 1925 as amended by the Acts of the Forty-first Legislature, Regular Session, Chapter 17, page 46, Section 1, as amended by Section 1 of the Acts of the Regular Session of the Forty-sixth Legislature, Chapter 1, page 221, Section 1, to provide that a Credit Union may borrow money in an amount not to exceed twenty-five (25%) per cent of its capital and surplus; and

amending Article 2482 of the Revised Civil Statutes of Texas of 1925 by providing for a guaranty fund for Credit Unions the method and means for determining the amount thereof and for increasing or decreasing said fund under certain contingencies, and declaring an emergency."

Referred to the Committee on Banks and Banking.

ADJOURNMENT

Mr. Kersey moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion to adjourn prevailed and the House accordingly at 5:40 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Appropriations: H. B. Nos. 278 and 677.

School Districts: H. B. No. 331; and S. B. No. 262.

Education: S. B. Nos. 99 and 405.

Criminal Jurisprudence: H. B. Nos. 190, 647 and 764.

Municipal and Private Corporations: S. B. Nos. 150 and 398.

Common Carriers: H. B. No. 275.

Judiciary and Uniform State Laws: S. B. No. 242.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, April 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 238, A bill to be entitled "An Act amending Chapter 13, Acts, Third Called Session of the Forty-second Legislature, as amended, declaring the policy of the State with

reference to financing the constructing of county lateral roads; defining certain terms used throughout the Act; creating the Board of County and District Road Indebtedness, and prescribing the powers, duties, and obligations of said Board; . . . and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 444, A bill to be entitled "An Act to amend H. B. No. 20, Acts of the 46th Legislature, Regular Session, reciting the legislative determination and declaration of policy; describing the consequence of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing five (5) State Districts; providing the manner of election of members of the State Soil Conservation Board; fixing the terms of office and defining the powers and duties of said members of said State Soil Conservation Board; providing for the creation of County Soil Conservation Committees; defining the duties and compensation of the members thereof; providing for the compensation of members of the State Soil Conservation Board; providing for the method by which vacancies on the State Soil Conservation Board shall be filled; providing for the creation of Soil Conservation Districts; providing the manner of selection of the supervisors of said Soil Conservation Districts; defining the powers, duties, and compensation of said supervisors acting for and through such Soil Conservation Districts; providing for the removal of supervisors; providing the manner of filling vacancies; providing for a Board of Adjustment of three (3) members and fixing the method of appointment, the term of office, the duties, and compensation of Board of Adjustment members; providing

for removal of officers under certain conditions and the filling of vacancies; providing for the creation of a special fund to be known as the "State Soil Conservation Fund" and appropriating such fund to the State Soil Conservation Board to be used in the administration of this Act; providing for a biennial audit and report to be made to the Governor of the State; providing an appropriation for the use of the State Board; providing the proper method of enforcement of such programs and regulations as may be promulgated by the several Districts described herein; providing method by which Soil Conservation Districts may be discontinued; repealing Senate Bill No. 227, Regular Session, Forty-fourth Legislature, page 504; providing that House Bill No. 13, Acts of the Forty-second Legislature, Regular Session, and House Bill No. 978, Regular Session, Forty-fourth Legislature, and Senate Bill No. 386, Acts of the Forty-fifth Legislature, Regular Session, shall be specifically preserved; providing that this Act shall be supplementary and complementary to all present laws, except those specifically repealed by this Act; providing this Act shall not impair nor impinge upon the rights, powers, and functions of certain Districts; providing separability clause; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 549, A bill to be entitled "An Act making specific appropriation out of the General Fund of the State of Texas, not otherwise appropriated, to pay a judgment obtained by W. S. Hale and wife, against the State of Texas under the authority of Senate Bill No. 197, Chapter 72, Special Laws of the Regular Session of the Forty-second Legislature, authorizing the said W. S. Hale and wife to sue the State of Texas for the recovery of damages resulting

from overflow of their lands arising out of the construction of temporary dumps or roadbeds by the State through its Highway Department; directing the Comptroller of the State of Texas to issue warrant on the State Treasury in favor of W. S. Hale and wife, in the sum of the judgment rendered by the Supreme Court of Texas in the suit of W. S. Hale and wife against the State of Texas brought under the authority of Senate Bill No. 197; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 17, Proposing an amendment to the Constitution of the State of Texas to provide for a State Land Bank which shall make loans to aid citizens of Texas to purchase a farm homestead; providing for election and necessary proclamation; and making an appropriation therefor.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 23, Proposing an amendment to Article 3 of the Constitution of the State of Texas authorizing the lending of Two Million Dollars (\$2,000,000) of the Permanent School Fund for the construction of a State Office Building, or Buildings; providing for repayment to the Permanent School Fund; providing for the submission of this amendment to the voters of this State; and providing for the necessary proclamation and expenses of publication.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, April 1, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 24, Proposing an amendment to Section 22 of Article V of the Constitution of Texas by adding thereto authority for the Legislature to increase, diminish, or change the probate or other jurisdiction of the County Court and to create additional courts having either exclusive jurisdiction, or concurrent jurisdiction with the County Court in such matter.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

FORTY-EIGHTH DAY

(Thursday, April 3, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker

Allen
Allison
Alsup
Anderson
Avant
Bailey
Baker
Bean
Bell
Benton
Blankenship
Boone
Brawner
Bray
Bridgers
Brown
Bruhl
Bullock
Bundy
Burkett
Burnaman
Carlton
Carrington
Cato
Celaya
Chambers

Clark
Cleveland
Coker
Colson, Mrs.
Connolly
Craig
Crossley
Crosthwait
Daniel
Davis
Deen
Dickson of Bexar
Dickson of Nolan
Donald
Dove
Duckett
Dwyer
Ellis
Eubank
Evans
Favors
Ferguson
Files
Fitzgerald
Fuchs
Gandy
Garland